

Message Text

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ACTION AF-18

INFO OCT-01 EUR-25 ISO-00 IO-14 CIAE-00 DODE-00 PM-07 H-03

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FM AMEMBASSY KIGALI

TO SECSTATE WASHDC PRIORITY 3050

INFO AMEMBASSY BRUSSELS

AMEMBASSY BUJUMBURA

S E C R E T KIGALI 0400

E.O. 11652: GDS

TAGS: PINS RW

SUBJ: ANCIEN REGIME: COURT MARTIAL RECOMMENDS SEVEN DEATH
SENTENCES INCLUDING FORMER PRES KAYIBANDA

REF: KIGALI 0389 (NOTAL)

1. COURT MARTIAL ENDS. EMB HAS RELIABLE INFO GOR MILITARY COURT MARTIAL HAS ENDED AND RECOMMENDED DEATH PENALTY FOR FORMER PRESIDENT KAYIBANDA AND SIX OF HIS FORMER ASSOCIATES. FIVE OF THE NAMES (SIXTH UNKNOWN) ARE AS FOLLOW: EX-STATESEC NYILIBAKWE, EX-SECGENPRES NTALIKURE, EX-DIRGENPRES HODARI, EX-DIRPRES GASAMUNYIGA AND EX-DIR-SURETE LT. HABIMANA. NO INFO YET AVAILABLE ON INDIVIDUAL CHARGES OR ON SENTENCE EX-FONMIN MUNYANEZA EXCEPT THAT NO FORMER MINISTERS REPORTEDLY RECEIVED DEATH SENTENCE.

2. SENTENCES NOW LIE BEFORE PRESIDENT HABYARIMANA FOR CONFIRMATION. DEBATE REPORTEDLY EXISTS WITHIN RULING CTTE PEACE AND NATIONAL UNITY WITH SOME MEMBERS FAVORING EXECUTIONS AND OTHERS LENIENCY. PRESIDENT EXPECTED MAKE DECISION IN NEAR FUTURE WITH POSSIBLE PUBLIC ANNOUNCEMENT JULY 5- FIRST ANNIVERSARY COUP D'ETAT.

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3. COMMENT: WE BELIEVE IT UNLIKELY (ALTHOUGH IT CANNOT

BE FORECLOSED) PRES HABYARIMANA WOULD IMPLEMENT DEATH SENTENCE ON KAYIBANDA WHO IS STILL RECOGNIZED AS FATHER OF HIS COUNTRY. WE ALSO UNDERSTAND BELGIAN GOVT MAY APPROACH GOR TO REQUEST COMMUTATION DEATH SENTENCES (AT LEAST FOR KAYIBANDA).

4. RECOMMENDATION: WE BELIEVE EXECUTION KAYIBANDA AND OTHERS WOULD BE SERIOUS GOR MISTAKE FROM INTERNAL AS WELL AS EXTERNAL POLICY CONSIDERATIONS. HOWEVER, USG CURRENTLY HAS NO OFFICIAL BASIS INTERVENE IN WHAT IS MAJOR GOR INTERNAL POLITICAL MATTER. A DEMARCHE COULD (BUT MIGHT NOT NECESSARILY) COMPLICATE ANY LENIENCY TREND. IT IS ALSO PREFERABLE FOR BELGIUM TO TAKE THE INITIATIVE.

5. I ACCORDINGLY RECOMMEND THAT USG TAKE NO ACTION ON MATTER UNTIL PRES HABYARIMANA ANNOUNCES A DECISION. THIS ADMITTEDLY CARRIES RISK THAT A DECISION AND SUMMARY EXECUTION(S) COULD BE ANNOUNCED AFTER THE FACT. SUCH A PROCEDURE, HOWEVER, WOULD NOT BE CONSISTENT HABYARIMANA'S KNOWN STYLE. SHOULD HABYARIMANA ANNOUNCE OR WE LEARN OF A DECISION TO IMPLEMENT THE DEATH SENTENCE, I WOULD RECOMMEND I RECEIVE INSTRUCTIONS TO SEEK LENIENCY. IN INTERIM, WHEN APPROPRIATE, WE WILL CERTAINLY NOTE GENERAL USG AVERSION TO EXECUTIONS BASED ON POLITICAL CRIMES AND DAMAGING IMPACT SUCH AN ACT OR ACTS WOULD HAVE ON GOR IMAGE IN US.
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